Reply to Office action of Jun. 3, 04

## IN THE SPECIFICATION:

Page 1, replace paragraph [0002] with the following paragraph.

Several cultivars of primocane fruiting (commonly known as "fall bearing") raspberry plant are known. For instance, raspberry cultivars named 'Anne', 'Caroline' and 'Josephine' have been described in U.S. Plant Patent No.10,411, 10,412 and [[12,350]] <u>12,173</u>, respectively. The new and distinct cultivar of the present invention is a raspberry plant named 'Jaclyn'. This new and distinct cultivar of the present invention differs from' Anne' in bearing red fruit, while 'Anne' bears golden fruit. Compared with 'Anne', 'Jaclyn' produces more root and crown-suckers and has significantly earlier ripeness period for the primocane fruit, which is usually more free from rot and sunscald in the field. 'Jaclyn' can be distinguished from 'Caroline' in that 'Jaclyn' fruit is larger, darker and more cohesive, produced one to two weeks earlier on primocanes, and has less fruit rot but the plant will have more late season leaf rust. 'Jaclyn' leaves do not regularly curl in high sun and warm temperatures as 'Caroline'. 'Jaclyn' and 'Josephine' are both large fruited primocane fruiting red raspberry cultivars, but 'Jaclyn' can be distinguished from 'Josephine' in that 'Jaclyn' is fruit is produced on primocanes a month before 'Josephine' and 'Jaclyn' fruit is conic, sweet and dark colored when fully ripe, compared to the round, lighter colored, 'Josephine' fruit.

Page 2, replace paragraph [0003] with the following paragraph.

The new cultivar of fall bearing red raspberry originated from a controlled cross at the University of Maryland Greenhouses in College

Reply to Office action of Jun. 3, 04

Park, MD. The cross "EG" was OBC-f1 (unpatented) x 'Caroline' (USPP No 10,412) and was made in the winter of 1996 and designated "EG" as the breeder code for the cross. OBC-f1 is a selection from the cross KP-2 x KAS-1. KP-2 (unpatented) is from a cross of CFO-1 x GEN-1. CFO-1 (unpatented) is a cross of 'Southland' (unpatented) x 'Willamette' (unpatented). GEN-1 (unpatented) is a cross of an F2 of R. pileatus x SCRI 8216B6 (unpatented). KAS-1 (unpatented) is a cross of GDF-3 (unpatented) x R. stellarcticus 'Linda' (unpatented). GDF-3 is a cross of selection SCRI 52B6 black-purple raspberry (unpatented) x 'Autumn Bliss' (USPP No 6,597). SCRI designated selections are by courtesy of the Scottish Crop Research Institute, Invergowrie, Scotland, United Kingdom (via. Dr. Derek Jennings). The other selections are from the University of Maryland at College Park; Rutgers University of New Brunswick, N.J.; Virginia Polytechnic Institute and State University, Southern Piedmont Agricultural Research and Education Center at Blackstone; and the University of Wisconsin at River Falls cooperative breeding program. This year of crossing was designated: "Q" as part of the University of Maryland at College Park; Rutgers University of New Brunswick, N.J.; Virginia Polytechnic Institute and State University, Southern Piedmont Agricultural Research and Education Center at Blackstone; and the University of Wisconsin at River Falls cooperative breeding program. The clone was first selected in 1998 at the Rutgers Fruit Agricultural Experiment Station at Cream Ridge, NJ and was therefore designated "-f1 ". Thus, the complete breeding designation was" QEG-f1".

Reply to Office action of Jun. 3, 04

Page 3, replace paragraph [0004] with the following paragraph. This application relates to a new and distinct red fruited, primocane fruiting, raspberry cultivar, botanically known as *Rubus ideaus L.* The following characteristics are outstanding:

- 1. Production of fruit on primocanes which is earlier than all other commercially grown cultivars worldwide, except 'Polana', which ripens in the same season, but sunscalds, and is much smaller than 'Jaclyn'.
- 2. In all the areas of test of this selection, the fruit is larger than all cultivars known to us, except sister seedlings 'Anne' (PP 10,411) and 'Josephine' (PP 12,350 12,173) from the above cooperative breeding program and 'Ruby' (syn. 'Watson' PP 7,067), a much later ripening cultivar from New York. Fruit size and fruit color are not severely reduced by temperatures between 80 and 90 F.
- 3. It is more productive than primocane fruiting cultivars tested in our area, except for 'Caroline' which is the highest yielding primocane bearing red raspberry in the eastern U.S. 'Caroline' fruit size is much lower in all climates, especially when grown in warmer regions.
- 4. In warmer areas, or in unheated greenhouse "tunnels", 'Jaclyn' buds on the mid section of primocanes, that is, below the apical fruiting zone, will break and produce a second crop after the initial crop has been harvested from the tops of the canes.

Page 12, replace paragraph [0026] with the following paragraph.

Reply to Office action of Jun. 3, 04

'Jaclyn' fruit are dark red when ripe, closely resembling the hue of Royal Horticultural Society color plate No. 53A (see FIG. 9). When fully or over ripe, or upon 7 days storage, fruit develops a purple red color, resembling Royal Horticultural Society color plate No 59A. Fruit have an insignificant amount observable pubescence, typical of most other commercial cultvars, but noticeably less than 'Josephine'. Drupelets are held together tightly. The collar is very uniform. The cavity width is 30% of the diameter of the fruit, typically 0.6 cm in diameter on the initial fruit. The fruit readily separates from the plant's recepticle in warm conditions, but is difficult to remove when ripened in colder weather (<65F). This is partly due to the long recepticle to fruit interface. The fruit does not break down after at least one week in common storage at 40 F of storage in ventilated plastic, pint-sized "clam shells" in a common household refrigerator. The temperature of the refrigerator averaged 40F. Humidity was maintained at 90% by adjusting the cold room which surrounded the refrigerator. The fruit has less fruit rot and sunscald than the standard fall bearing cultivars ('Heritage' (unpatented) (see FIG 10), 'Autumn Bliss' (PP 6,597), Caroline' (PP 10,412) and 'Polana' (unpatented). Flavor is sweet and the aroma is strong and characteristic of red raspberry. The texture of the fruit is firmer than other eastern USgrown red raspberry cultivars known to us, with the exceptions of 'Tulameen' (not patented) and 'Emily' floricane fruiters and 'Josephine', a primocane fruiter. 'Jaclyn' fruit is suitable for limited shipment; however, because it extends the season, it would be especially useful for local farm

Reply to Office action of Jun. 3, 04

market situations where the grower has no options, such as growing in different locations, to produce an earlier crop. 'Jaclyn' fruit has sufficient flavor to benefit a pick-your-own marketing operation.

Page 13, replace paragraph [0029] with the following paragraph.

'Jaclyn' has been asexually reproduced at the University of Maryland by tissue culture, dormant cuttings and mist-propagated root sucker cuttings for five years. Suckering is moderate to high and the plant readily establishes either in culture or in a mist rooting chamber. Such propagules maintain the distinctive characteristics of 'Jaclyn', including earliness to fruit and definitive fruit quality traits including sunscalding resistance. Thus, the observed plant retains its distinctive characteristics and reproduces true to type in successive generations. 'Jaclyn' can be tissue culture or field propagated by root suckers. No off-type plants have been observed in the history of propagation of this cultivar by either method.